

**222 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M No. 31146 of 2019
Date of Decision:-06.11.2019**

HARJINDER SINGH AND ANR

.....Petitioners

V/S

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Sanjeev Patiyal, Advocate
for the petitioners.

Mr. Sandeep Singh Deol, D.A.G. Punjab.

ARUN KUMAR TYAGI, J. (ORAL)

The petitioners have filed the present second petition under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No. 59 dated 16.06.2018 registered under Sections 379-B, 120-B of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station City Fazilka, District Fazilka.

The petitioners Harjinder Singh and Aman Preet along with Manga Singh have been charge-sheeted by SHO Police Station Fazilka to face trial under Sections 379-B and 120-B of the IPC.

Advance copy of the petition was served on the respondent-State of Punjab. Learned State Counsel has appeared and opposed the bail application.

I have heard learned Counsel for the petitioners as well as State Counsel and gone through the record.

Learned Counsel for the petitioners has contended that as per the FIR registered on statement of complainant-Asha Saluja, an unknown Hindu gentleman came on a motor-cycle without number and snatched

purse from her and ran away from there on the motor-cycle. The petitioners have been falsely implicated in the case. Co-accused Manga Singh has been ordered to be released on bail by this Court. Petitioners are in custody since 22.10.2018. The trial of case is likely to take long time. No useful purpose will be served by keeping the petitioners in custody till the final disposal of the case.

Learned State Counsel has argued that allegations against the petitioners are serious and the bail application may be dismissed.

Keeping in view the facts and circumstances of the case particularly the period of custody of the petitioners, the fact that co-accused Manga Singh has been ordered to be released on bail by this Court and parity of their case with the case of co-accused Manga Singh but without commenting on merits, I am of the considered view that the petitioners also deserve concession of regular bail. Therefore, the petition is allowed and the petitioners are ordered to be released on regular bail on furnishing of bail bonds by them to the satisfaction of the trial Court/CJM/Duty Magistrate, Fazilka.

However, it is made clear that in case of involvement of the petitioners in commission of similar offence in future, the bail in this case shall also be liable to be cancelled on application to be filed in this regard.

(ARUN KUMAR TYAGI)
JUDGE

06.11.2019

Rajeev (rvs)

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No